

S/N 09/700,806

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	SHEN ET AL.	Examiner:	R. KAPUST
Serial No.:	09/700,806	Group Art Unit:	1647
Filed:	MARCH 12, 2002	Docket No.:	11669.115USWO
Title:	MODULATION OF eNOS ACTIVITY AND THERAPEUTIC USES THEREOF		

**CERTIFICATE UNDER 37 CFR 1.10:**

"Express Mail" mailing label number: EV 408487386 US  
Date of Deposit: April 30, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

*Teresa Anderson*

Name: Teresa Anderson

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Enclosed is a check in the amount of \$180.00 under 37 C.F.R. § 1.17(p) for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to

establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: April 30, 2004

Katherine M Kowalchuk  
Katherine M. Kowalchuk  
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<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 11669.115USWO	Application Number: 09/700,806
	Applicant: SHEN ET AL.	
	Filing Date: 03/12/2002	Group Art Unit: 1647

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,955,311	09/21/1999	Rockwell et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 97/08313	03/06/1997	PCT				
	WO 98/16551	04/23/1998	PCT				
	WO 98/20027	05/14/1998	PCT				
	WO 00/13702	03/16/2000	PCT				
	WO 00/63380	10/26/2000	PCT				
	WO 00/71713	11/30/2000	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Harada, K. et al., "Vascular endothelial growth factor administration in chronic myocardial ischemia," <i>The American Physiological Society</i> , pp. H1791-H1802(© 1996)
	Laitinen, M. et al., "VEGF Gene Transfer Reduces Intimal Thickening via Increased Production of Nitric Oxide in Carotid Arteries," <i>Human GeneTherapy</i> , Vol. 8, No. 15, pp. 1737-1744 (October 10, 1997)
	Morbidelli, L. et al., "Nitric oxide mediates mitogenic effect of VEGF on coronary venular endothelium," <i>The American Pyhsiological Society</i> , pp. H411-H415 (© 1996)
	Zachary, L. et al., "Vascular endothelial growth factor stimulates nitric oxide production and prostacyclin synthesis in human umbilical vein endothelial cells," <i>Journal of the European Society of Cardiology</i> , Abstract Supplement, Vol. 18 ISSN 0195 668X, 3 pages (August 1997)

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PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	